

UNITED STATES DISTRICT COURT

FILED
RICHARD W. NAGEL
CLERK OF COURTfor the
Southern District of Ohio

7/7/20

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Express Tracking Number EJ196681552US,
postmarked July 6, 2020

Case No. 3:20MJ311

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Tracking No. EJ196681552US postmarked July 6, 2020, addressed to Tony Cook, 9830 Dale Ave Apt 142, Spring Valley, CA 91977, return address of Johnathan Cook, 516 Dakota St, Dayton, OH 45402 located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

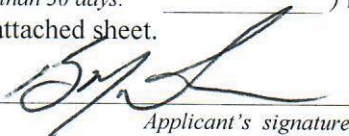
Code Section	Offense Description
21 U.S.C. 841(a)(1)	Distribution and possession with intent to distribute a controlled substance
21 U.S.C. 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 U.S.C. 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Brad M. Dorman, U.S. Postal Inspector

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).

Date: July 7, 2020

City and state: Dayton, OH



's signature

United States Magistrate Judge
name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
DAYTON, OHIO

STATE OF OHIO)
) SS
COUNTY OF MONTGOMERY)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, BRAD M. DORMAN, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector and have been since August 2017. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain characteristics and/or circumstances indicating that a parcel may contain Drugs and/or Proceeds. These circumstances include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send parcels, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors are emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

On July 6, 2020, I intercepted a Parcel (hereinafter, the "Parcel") at the Dayton Processing and Distribution Plant in Dayton, OH. The Parcel, is a white USPS Priority Mail Express Envelope, bearing tracking number EJ196681552US, weighing 6 ounces, postmarked July 6, 2020, with the following address information:

Sender: Johnathan Cook
516 Dakota St
Dayton, OH 45402

Addressee: Tony Cook
9830 Dale Ave Apt 142
Spring Valley, CA 91977

Through training and experience, I am aware that Southern California is a known drug trafficking location.

I did a check in CLEAR of the addressee's information on the Parcel of 9830 Dale Ave Apt 142, Spring Valley, CA 91977. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no "Tony Cook" associated with 9830 Dale Ave Apt 142, Spring Valley, CA 91977.

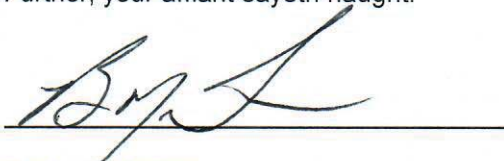
I also did a check in CLEAR of the sender's information on the Parcel of Johnathan Cook, 516 Dakota St, Dayton, OH 45402. According to CLEAR, there is no "Johnathan Cook" associated with 516 Dakota St, Dayton, OH 45402. Through training and experience, I am aware that the sender's failure to provide their correct name or address on a Parcel can be an indicator that the Parcel contains contraband, including drugs and/or drug proceeds.

Later on July 7, 2020, at my request, Dayton Police Officer Jeremy Stewart conducted a narcotics-detection canine check of the Parcel. I was present for the check. The Parcel was placed in a controlled area and presented to narcotics-detection canine, "Weston." As set forth in the attached affidavit of Officer Stewart, "Weston" alerted positively to the presence or odor of a narcotic or other controlled substances.

Based on my training and experience as a United States Postal Inspector, the foregoing circumstances, including, (i) the sender's name is not associated with the sender's address, (ii) the recipient's name is not associated with the recipient's address, (iii) the Parcel being sent to a known trafficking source location, and (iv) the positive alert of the narcotics-detection canine are indicative of Drugs and/or Proceeds in the Parcel.

Therefore, a search warrant to open the Parcel is requested.

Further, your affiant sayeth naught.



Brad M. Dorman
United States Postal Inspector

Subscribed and sworn to and before me this 7 day of July, 2020.



Sharon L. Ovington
United States Magistrate Judge



UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer JEREMY STEWART, am and have been employed by the DAYTON POLICE DEPARTMENT since 2014. Among other duties, I am currently the assigned handler of narcotics detection canine "WESTON" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 07/07/2020, at the request of Postal Inspector DORMAN, I responded to the DAYTON P&DC, where "WESTON" did alert to and indicate upon: [describe item]

USPS Priority Mail Express Tracking # EJ196681552US

TO:	Tony Cook	FROM:	Johnathan Cook
	9830 Dale Ave Apt 142		516 Dakota St
	Spring Valley, CA 91977		Dayton, OH 45402

Which, based upon my training and experience and that of "WESTON", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

Jeremy P. Stewart / 28948 / 7-6-20
(Signature, Badge #, and Date)

[Signature] 7/7/2020
(Witness/Date)